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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,201	03/01/2005	Taras Telyuk	NL 020821	6433

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EXAMINER

LONSBERRY, HUNTER B

ART UNIT	PAPER NUMBER
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2421

MAIL DATE	DELIVERY MODE
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04/27/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/526,201	Applicant(s) TELYUK, TARAS	
	Examiner Hunter B. Lonsberry	Art Unit 2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 15, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2005 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claim 19 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 19 recites a television receiver comprising a teletext receiver arrangement according to claim 1. This claim does not further limit claim 1.

Claim 20 is objected to because of the following informalities: Claim 20 appears to be an independent claim; however the last line contains the language "according to claim 19". It is unclear if applicant intends this claim to be independent or dependent. The Examiner suggests applicant removes this language if applicant intends the claim to be an independent claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over European Patent Application 0 489 387 A2 to Dini in view of US 6,075,537 to Ichihashi.

Regarding claims 1, 7, 8, 17-20, Dini discloses a teletext receiver arrangement, comprising:

- a receiver (figure 1) for receiving broadcast data including teletext data elements through a broadcast channel (column 2, A is the antenna which receives the data column 2, lines 2-9)

- a teletext processor 14 for extracting the teletext data elements from the broadcast (column 2, lines 13-15) data; and

- a processor for generating a video, signal encoding a customized teletext page from the teletext data elements according to a set of instructions (column 2, lines 15-50);

Dini fails to disclose an interaction channel establishing a connection to the server through an interaction channel and downloading a piece of interaction code implementing the set of instructions from the server via the interaction channel.

Ichihashi disclose a teletext device (figure 4) in which a receiver 3 includes a modem 34 coupled to a telephone line which connects to a server 4 (figure 3, column 8, line 56-column 9, line 6). Both interactive data an teletext data may be transmitted in the VBI (column 14, lines 12-39), data may also be sent via the telephone line to the

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receiver to participate in interactive applications such as shopping, ordering plane tickets, quizzes etc (column 23, lines 44-67), based upon data initially transmitted in the VBI (column 28, line 15-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dini to include the interactive channel as taught by Ichibashi for the advantage of providing interactive applications to provide a convenient way for users to purchase items from the convenience of their home and engage in interactive games with other users.

Regarding claim 2, Ichibashi is relied upon to teach a memory to store the downloaded code and retrieve the code to process it (figure 3, RAM 305, column 10, lines 9-14).

Regarding claims 3, 19, Ichibashi is relied upon to provide a unique ID code to the server (column 16, lines 49-64).

The combination of Dini and Ichibashi are silent regarding transmitting a unique id code identifying the piece of code to be downloaded.

The examiner takes official notice that requesting content via a unique id code is notoriously well known in the art.

Teletext systems utilize pages which identify a particular teletext page with corresponding content. Likewise in web based systems, an address is utilized to identify

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a particular page of content in order to ensure that the user is able to view their desired content and distinguish it from other content.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Dini and Ichibashi to transmit a unique id code identifying the piece of content to be downloaded for the above mentioned advantages.

Regarding claims 4, 9, 11, Dini discloses that the teletext receiver arrangement is capable of executing code enabling it to assemble teletext data elements from two or more pages into the customized teletext page (column 3, lines 5-25).

Regarding claims 5, 12, Dini discloses that two different teletext programs from two different channels are displayed (column 3, lines 12-24).

Claim 6, is met by claims 3 and 5.

Regarding claims 13-14, Ichibashi discloses that the piece of code is only generated if the criteria has been met (column 23, lines 43-59, content is only transmitted if a user requests a catalog, makes a ticket reservation etc).

Allowable Subject Matter

Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is (571)272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hunter B. Lonsberry/

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Primary Examiner
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HBL